

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

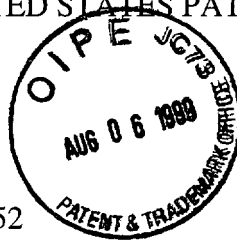
In re application of:

Yurt *et al.*

Appl. No. 09/120,452

Filed: July 23, 1998

For: **Audio and Video Transmission  
and Receiving System**



Art Unit: 2734

Examiner: A. Le

Atty. Docket: 03047.0006.US04

#11  
JMM  
10-1-99

**Terminal Disclaimer to Obviate a Double Patenting Rejection Under  
37 C.F.R. § 1.321(c)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

H. Lee Browne D/B/A Greenwich Information Technologies LLC ("Greenwich") represents that it is the owner of the entire right, title, and interest of Application No. 07/637,562, filed on January 7, 1991, and U.S. Patent No. 5,132,992 that issued therefrom, by virtue of an Assignment from all of the inventors thereof recorded at the U.S. Patent and Trademark Office on February 6, 1992 at Reel 6007, Frame 0679. Said assignment also covers all continuations from Application No. 07/637,562. As the above-named Application No. 09/120,452, is a divisional of Application No. 08/630,590 filed on April 10, 1996 which is a continuation of Application No. 08/133,982, filed on October 8, 1993, and U.S. Patent No. 5,550,863 that issued therefrom which is a continuation of Application No. 07/862,508, filed on April 2, 1992, and U.S. Patent No. 5,253,275 that issued therefrom which is a continuation of Application No. 07/637,562, filed on January 7, 1991, and U.S. Patent No. 5,132,992 that issued therefrom, Greenwich is the owner of the entire right, title, and interest of the above-named Application No. 09/120,452 by virtue of the assignment recorded at Reel 6007, Frame 0679.

***Establishing Right of Assignee to Take Action Under 37 C.F.R. § 3.73(b)***

A Certificate Under 37 C.F.R. § 3.73(b) establishing the right to act on behalf of the assignee, with regard to the above-identified application has been filed on February 10, 1999.


***Disclaimer***

Greenwich hereby disclaims the terminal part of any patent granted on the above-identified application that would extend beyond the expiration of its co-owned U.S. Patent No. 5,132,992 and hereby agrees that any patent granted on the above-identified application, or any patent granted on the above-identified application and subject to the reexamination proceeding, shall be enforceable only for and during such period that said patent is commonly owned with the application or patent that formed the basis of the obviousness type double patenting rejection, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term, as currently shortened by any terminal disclaimer, of Patent No. 5,132,992 in the event that Patent No. 5,132,992 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by terminal disclaimer, except for the separation of legal title stated above.

This disclaimer is accompanied by the fee set forth in 37 C.F.R. § 1.20(d).

Respectfully submitted,



H. Lee Browne  
Chief Executive Officer  
Greenwich Information Technologies

Date: 7/29/99

09/120,452 25492160

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Group 2700

Attorney Docket No. 03047.0006.US04

Appln. No.: 09/120,452  
Inventors: Paul YURT *et al.*  
Filed: July 23, 1998  
For: Audio and Video Transmission and Receiving System



Group Art Unit 2734  
Examiner A. Le

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, DC 20231

Sir:

Transmitted herewith are the following:

- ☒ Reply and Amendment under 37 C.F.R. § 1.111
- ☒ Terminal Disclaimer to Obviate a Double-Patenting Rejection under 37 C.F.R. § 1.321(c)
- ☒ Second Supplemental Information Disclosure Statement
- ☒ Form PTO-1449 (6 pages), with one accompanying document

The claim fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
Claims Remaining After This Submission			Highest No. Previously Paid For	Present Extra	Rate	Additional Fee		Rate	Additional Fee
TOTAL	* 43	MINUS	** 27	= 16	x 9 =			x 18 =	288.00
INDEP.	* 3	MINUS	*** 3	= 0	x 39 =			x 78 =	0.00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ 130 =			+ 260 =	
					TOTAL	\$		TOTAL	\$ 288.00

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior submission or the number of claims originally filed.

- ☐ Please charge my Deposit Account No. 08-3038 in the amount of \_\_\_\_\_. A duplicate copy of this sheet is attached.
- ☒ Howrey & Simon Check No. 314495 in the amount of \$ 528.00 to cover the extra claims fee and the fee for submitting an Information Disclosure Statement after issuance of the first action on the merits but before issuance of a final rejection or Notice of Allowance is enclosed.
- ☒ Howrey & Simon Check No. 314496 in the amount of \$ 110.00 to cover the fee for filing a statutory disclaimer is enclosed.
- ☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 08-3038. A duplicate of this sheet is attached.
- ☒ Any additional fees required under 37 C.F.R. § 1.16 for presentation of extra claims.
  - ☒ Any patent application processing fees under 37 C.F.R. § 1.17.

Date: August 6, 1999

*Andrea G. Reister*  
Andrea G. Reister (Reg. No. 36,253)